

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 20-194 (DSD/DTS)

United States of America,

Plaintiff,

v.

ORDER

Robert E. Maloney, Jr.,

Defendant.

This matter is before the court upon the pro se motion to compel defense counsel to surrender the case file to defendant. Defendant intends to file a motion to correct or amend sentence under 28 U.S.C. § 2255 and argues that he is entitled to his case file to prepare that filing. Defendant relies on Maxwell v. Florida, 479 U.S. 972 (1986) and the American Bar Association Standards for Criminal Justice in support of his position.

This court has rejected those authorities as a basis for the relief defendant seeks. See United States v. Reichel, No. 14cr298, 2020WL638898, at *1 (D. Minn. Feb. 11, 2020). Moreover, defendant's request is premature as he has yet to file a motion under § 2255. See id. Should defendant file such a motion, he may then seek discovery under the applicable rules.

Accordingly, **IT IS HEREBY ORDERED** that the motion to compel [ECF No. 390] is denied.

Dated: June 11, 2025

s/David S. Doty

David S. Doty, Judge
United States District Court